

CHAPTER 8: Business Operations
ADMINISTRATIVE PROCEDURE NO. 8.80.1 (AP 6700)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 8.80.1 Community Use of District Facilities
Revision Date: 9/12; 4/15
References: Education Code Sections 82537 and 82542; Public Resources Code Section 42648.3; Clark v. Community for Creative Nonviolence (1984) 468 U.S. 288, 104 S. Ct. 3065.82 L. Ed. 2d 221

1. District facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and times identified by the College but shall be sufficiently frequent and available on specific dates and times, so as to allow meaningful use by outside groups. Except as provided in these procedures or as authorized by law, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.
2. The Executive Vice Chancellor is responsible for the coordination and implementation of these procedures. The college shall determine all applicable fees to be charged.
3. Except for designated public forum areas, all user groups shall be required to provide the District with a hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages, or injuries incurred by any person as a result of their use of the facilities. All user groups shall also be required to provide a certificate of insurance with limits acceptable to the District and/or other proof of financial responsibility acceptable to the District. More information on use of designated public forum areas can be found in Board Policy 2.31.
4. Eligible persons or groups may use District buildings or grounds designated as the Civic Center for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to this procedure.
5. The groups identified in Education Code Section 82542(a) will be permitted, “when an alternative location is not available,” as described in the statute, to use District facilities upon payment only of the following:
 - a. the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
 - b. the cost of a District employee’s presence during the organization’s use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of his/her normal duties;
 - c. the cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian’s normal duties; and
 - d. the cost of utilities directly attributable to the organization’s use of the facilities.
6. Except as provided herein, other groups shall be charged an amount not to exceed the direct costs of District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the organization’s use of District facilities.

AP 8.80.1 Community Use of District Facilities (continued)

7. The following shall be charged fair rental value for the use of District facilities:
 - e. Any church or religious organization for the conduct of religious services which may be conducted for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
 - f. Entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.
8. The American Red Cross or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services deemed by the Board of Trustees to be necessary to meet the needs of the community.

Rules for Facilities Use

1. Requests for use of the District's Civic Center must be made at least 30 days in advance of the first date of use being requested. Requests shall be on forms provided by the District. This request requirement does not apply to groups intending to use available designated public forums for expressive activities. In those circumstances, only three business days' notice is required.
2. Permission to use District facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.
3. Overnight camping on District facilities, including in the designated public forum areas, is prohibited.
4. A deposit may be required. All charges for the use of District facilities are payable one week in advance.
5. Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he/she is an officer of the group, must present written authorization to represent the group. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.
6. The District may require security personnel as a condition of use whenever it is deemed to be in the District's best interests.
7. No person applying for use of District property shall be issued a key to District facilities.
8. Future facility requests may be denied on grounds including, but not limited to, abuse or misuse of District property and failure to pay promptly for any damage to District property.
9. No alcoholic beverages, intoxicants, controlled substances or tobacco in any form shall be brought onto the property of the District. Persons under the influence of alcohol, intoxicant or controlled substances shall be denied participation in any activity.
10. No structures, electrical modifications, or mechanical apparatus may be erected or installed on District property without specific written approval by the Vice Chancellor of Facilities Planning and Operations.
11. All decorative materials, including but not limited to draperies, hangings, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.